

1 A bill to be entitled
 2 An act relating to early learning and child care
 3 regulation; providing an effective date.

4
 5 Be It Enacted by the Legislature of the State of Florida:

6
 7 Section 1. The Division of Law Revision and Information is
 8 requested to prepare a reviser's bill for the 2015 Regular
 9 Session of the Legislature to change the term "School Readiness
 10 Program" to "Child Care and Development Program" and the term
 11 "family day care home" to "family child care home" wherever the
 12 term appears in the Florida Statutes.

13 Section 2. Subsection (3) of section 39.604, Florida
 14 Statutes, is amended to read:

15 39.604 Rilya Wilson Act; short title; legislative intent;
 16 requirements; attendance and reporting responsibilities.—

17 (3) REQUIREMENTS.—A child who is age birth ~~3~~ years to
 18 school entry, under court ordered protective supervision or in
 19 the custody of the Family Safety Program Office of the
 20 Department of Children and Family Services or a community-based
 21 lead agency, and enrolled in an licensed early education or
 22 child care program regulated by the department must be enrolled
 23 to participate in the program 5 days a week. Notwithstanding the
 24 requirements of s. 39.202, the Department of Children and Family
 25 Services must notify operators of the ~~licensed~~ early education
 26 or child care program regulated by the department, subject to

27 the reporting requirements of this act, of the enrollment of any
 28 child age birth 3 years to school entry, under court ordered
 29 protective supervision or in the custody of the Family Safety
 30 Program Office of the Department of Children and Family Services
 31 or a community-based lead agency. A child's attendance in an
 32 early education or child care program regulated by the
 33 department is required if it is a required action in the ~~The~~
 34 case plan developed for the a child pursuant to this chapter ~~who~~
 35 ~~is enrolled in a licensed early education or child care program~~
 36 ~~must contain the participation in this program as a required~~
 37 ~~action.~~ An exemption to participating in the licensed early
 38 education or child care program 5 days a week may be granted by
 39 the court.

40 Section 3. Section 125.0109, Florida Statutes, is amended
 41 to read:

42 125.0109 Family day care homes and large family child care
 43 homes; local zoning regulation.—The operation of a residence as
 44 a family day care home or large family child care home, as
 45 defined in s. 402.302 and licensed or registered pursuant to ss.
 46 402.313 or 402.3131, as applicable, as defined by law,
 47 ~~registered or licensed with the Department of Children and~~
 48 ~~Family Services~~ shall constitute a valid residential use for
 49 purposes of any local zoning regulations, and no such regulation
 50 shall require the owner or operator of such family day care home
 51 or large family child care home to obtain any special exemption
 52 or use permit or waiver, or to pay any special fee in excess of

53 \$50, to operate in an area zoned for residential use.

54 Section 4. Section 166.0445, Florida Statutes, is amended
55 to read:

56 166.0445 Family day care homes and large family child care
57 homes; local zoning regulation.—The operation of a residence as
58 a family day care home or large family child care home, as
59 defined in s. 402.302 and licensed or registered pursuant to ss.
60 402.313 or 402.3131, as applicable, as defined by law,
61 ~~registered or licensed with the Department of Children and~~
62 ~~Family Services~~ shall constitute a valid residential use for
63 purposes of any local zoning regulations, and no such regulation
64 shall require the owner or operator of such family day care home
65 or large family child care home to obtain any special exemption
66 or use permit or waiver, or to pay any special fee in excess of
67 \$50, to operate in an area zoned for residential use.

68 Section 5. Subsection (17) of section 402.302, Florida
69 Statutes, is amended to read:

70 402.302 Definitions.—As used in this chapter, the term:

71 (17) "Substantial compliance" means, for purposes of
72 programs operating under ss. 1002.55, 1002.61, or 1002.88, that
73 ~~level of adherence to adopted standards~~ which is sufficient to
74 safeguard the health, safety, and well-being of all children
75 under care. The standards must address requirements found in s.
76 402.305 and are limited to supervision, transportation, access,
77 health related requirements, food and nutrition, personnel
78 screening, records and enforcement of these standards. The

79 standards must not limit or exclude the curriculum provided by a
 80 faith-based provider or nonpublic school. Substantial compliance
 81 is greater than minimal adherence but not to the level of
 82 absolute adherence. Where a violation or variation is identified
 83 as the type which impacts, or can be reasonably expected within
 84 90 days to impact, the health, safety, or well-being of a child,
 85 there is no substantial compliance.

86 Section 6. Paragraphs (d) and (e) of subsection (2) of
 87 section 402.3025, Florida Statutes, are amended to read:

88 402.3025 Public and nonpublic schools.—For the purposes of
 89 ss. 402.301-402.319, the following shall apply:

90 (2) NONPUBLIC SCHOOLS.—

91 (d)1. Nonpublic schools delivering programs under ss.
 92 1002.55, 1002.61, or 1002.88~~Programs for children who are at~~
 93 ~~least 3 years of age, but under 5 years of age,~~ which are not
 94 licensed under ss. 402.301-402.319 shall substantially comply
 95 with the minimum child care standards promulgated pursuant to
 96 ss. 402.305-402.3057.

97 2. The department or local licensing agency shall enforce
 98 compliance with such standards, where possible, to eliminate or
 99 minimize duplicative inspections or visits by staff enforcing
 100 the minimum child care standards and staff enforcing other
 101 standards under the jurisdiction of the department or the
 102 Department of Health.

103 3. The department or local licensing agency may inspect
 104 programs operating under this subsection and pursue

105 administrative or judicial action under ss. 402.310-402.312
 106 against nonpublic schools operating under this paragraph
 107 ~~commence and maintain all proper and necessary actions and~~
 108 ~~proceedings for any or all of the following purposes:~~
 109 a. ~~To~~ to protect the health, sanitation, safety, and well-
 110 being of all children under care. b. ~~To enforce its rules and~~
 111 ~~regulations.~~
 112 c. ~~To use corrective action plans, whenever possible, to~~
 113 ~~attain compliance prior to the use of more restrictive~~
 114 ~~enforcement measures.~~
 115 d. ~~To make application for injunction to the proper~~
 116 ~~circuit court, and the judge of that court shall have~~
 117 ~~jurisdiction upon hearing and for cause shown to grant a~~
 118 ~~temporary or permanent injunction, or both, restraining any~~
 119 ~~person from violating or continuing to violate any of the~~
 120 ~~provisions of ss. 402.301-402.319. Any violation of this section~~
 121 ~~or of the standards applied under ss. 402.305-402.3057 which~~
 122 ~~threatens harm to any child in the school's programs for~~
 123 ~~children who are at least 3 years of age, but are under 5 years~~
 124 ~~of age, or repeated violations of this section or the standards~~
 125 ~~under ss. 402.305-402.3057, shall be grounds to seek an~~
 126 ~~injunction to close a program in a school.~~
 127 e. ~~To impose an administrative fine, not to exceed \$100,~~
 128 ~~for each violation of the minimum child care standards~~
 129 ~~promulgated pursuant to ss. 402.305-402.3057.~~
 130 4. It is a misdemeanor of the first degree, punishable as

131 provided in s. 775.082 or s. 775.083, for any person willfully,
 132 knowingly, or intentionally to:

133 a. Fail, by false statement, misrepresentation,
 134 impersonation, or other fraudulent means, to disclose in any
 135 required written documentation for exclusion from licensure
 136 pursuant to this section a material fact used in making a
 137 determination as to such exclusion; or

138 b. Use information from the criminal records obtained
 139 under s. 402.305 or s. 402.3055 for any purpose other than
 140 screening that person for employment as specified in those
 141 sections or release such information to any other person for any
 142 purpose other than screening for employment as specified in
 143 those sections.

144 5. It is a felony of the third degree, punishable as
 145 provided in s. 775.082, s. 775.083, or s. 775.084, for any
 146 person willfully, knowingly, or intentionally to use information
 147 from the juvenile records of any person obtained under s.
 148 402.305 or s. 402.3055 for any purpose other than screening for
 149 employment as specified in those sections or to release
 150 information from such records to any other person for any
 151 purpose other than screening for employment as specified in
 152 those sections.

153 6. The inclusion of nonpublic schools within options
 154 available under s. 1002.55, 1002.61, and 1002.88, does not
 155 expand the regulatory authority of the state, its officers, or
 156 any early learning coalition to impose any additional regulation

157 of nonpublic schools beyond those reasonably necessary to
 158 enforce requirements expressly set forth in this paragraph.

159 ~~(c) The department and the nonpublic school accrediting~~
 160 ~~agencies are encouraged to develop agreements to facilitate the~~
 161 ~~enforcement of the minimum child care standards as they relate~~
 162 ~~to the schools which the agencies accredit.~~

163 Section 7. Paragraph (a) of subsection (2) and subsections
 164 (10), and (18) of section 402.305, Florida Statutes, are amended
 165 to read:

166 402.305 Licensing standards; child care facilities.—

167 (2) PERSONNEL.—Minimum standards for child care personnel
 168 shall include minimum requirements as to:

169 (a) Good moral character based upon screening, according
 170 to the level 2 screening requirements of. ~~This screening shall~~
 171 ~~be conducted as provided in chapter 435, using the level 2~~
 172 ~~standards for screening set forth in that chapter.~~ In addition
 173 to the offenses listed in s. 435.04, all persons required to
 174 undergo background screening pursuant to this section must not
 175 have an arrest awaiting final disposition for, must not have
 176 been found guilty of, regardless of adjudication, or entered a
 177 plea of nolo contendere or guilty to, and must not have been
 178 adjudicated delinquent and the record not have been sealed or
 179 expunged for, an offense specified in s. 39.205. Before
 180 employing personnel subject to the requirements of this section,
 181 the employer must conduct employment history checks of each of
 182 the personnel's previous employers and document the findings. If

183 unable to contact a previous employer, the employer must
 184 document efforts to contact the employer.

185 ~~(b) During the months of August and September of each~~
 186 ~~year, each~~ Each child care facility shall provide parents of
 187 children enrolling ~~enrolled~~ in the facility detailed information
 188 regarding the causes, symptoms, and transmission of the
 189 influenza virus in an effort to educate those parents regarding
 190 the importance of immunizing their children against influenza as
 191 recommended by the Advisory Committee on Immunization Practices
 192 of the Centers for Disease Control and Prevention.

193 (10) TRANSPORTATION SAFETY.—Minimum standards shall
 194 include requirements for child restraints or seat belts in
 195 vehicles used by child care facilities, ~~and~~ large family child
 196 care homes, and family day care homes to transport children,
 197 requirements for annual inspections of the vehicles, limitations
 198 on the number of children in the vehicles, and accountability
 199 for children being transported.

200 (18) TRANSFER OF OWNERSHIP.—

201 (a) One week prior to the transfer of ownership of a child
 202 care facility, ~~or~~ family day care home, or large family child
 203 care home the transferor shall notify the parent or caretaker of
 204 each child of the impending transfer.

205 (b) The owner of a child care facility, family day care
 206 home, or large family child care home may not transfer ownership
 207 to a relative of the operator if the operator has had his or her
 208 license suspended or revoked by the department pursuant to s.

209 402.310, has received notice from the department that reasonable
 210 cause exists to suspend or revoke the license, or has been
 211 placed on the United States Department of Agriculture National
 212 Disqualified list. For purposes of this subsection, "relative"
 213 means father, mother, son, daughter, grandfather, grandmother, brother, sister,
 214 uncle, aunt, cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-
 215 in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother,
 216 stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

217 (c) ~~(b)~~ The department shall, by rule, establish methods by
 218 which notice will be achieved and minimum standards by which to
 219 implement this subsection.

220 (19) The department may adopt rules to define and enforce
 221 substantial compliance with minimum standards for child care
 222 facilities for programs operating under ss. 1002.55, 1002.61,
 223 and 1002.88, which are regulated, but not licensed by the
 224 department.

225 Section 8. Section 402.311, Florida Statutes, is amended
 226 to read:

227 402.311 Inspection.—A licensed child care facility or
 228 program regulated by the department shall accord to the
 229 department or the local licensing agency, whichever is
 230 applicable, the privilege of inspection, including access to
 231 facilities and personnel and to those records required in s.
 232 402.305, at reasonable times during regular business hours, to
 233 ensure compliance with the provisions of ss. 402.301-402.319.
 234 The right of entry and inspection shall also extend to any

235 premises which the department or local licensing agency has
 236 reason to believe are being operated or maintained as a child
 237 care facility or program~~without a license~~, but no such entry or
 238 inspection of any premises shall be made without the permission
 239 of the person in charge thereof unless a warrant is first
 240 obtained from the circuit court authorizing same. Any
 241 application for a license or application for authorization to
 242 operate a child care program which must maintain substantial
 243 compliance with child care standards promulgated under this
 244 chapter, renewal of such license or authorization ~~made pursuant~~
 245 ~~to this act~~ or the advertisement to the public for the provision
 246 of child care as defined in s. 402.302 shall constitute
 247 permission for any entry or inspection of the subject premises
 248 ~~for which the license is sought in order~~ to facilitate
 249 verification of the information submitted on or in connection
 250 with the application. In the event a ~~licensed~~ facility or
 251 program refuses permission for entry or inspection to the
 252 department or local licensing agency, a warrant shall be
 253 obtained from the circuit court authorizing same prior to such
 254 entry or inspection. The department or local licensing agency
 255 may institute disciplinary proceedings pursuant to s. 402.310,
 256 for such refusal.

257 Section 9. Section 402.3115, Florida Statutes, is amended
 258 to read:

259 402.3115 Elimination of duplicative and unnecessary
 260 inspections; abbreviated inspections.-

261 (1) ~~The Department of Children and Family Services and~~
 262 ~~local governmental agencies that license child care facilities~~
 263 ~~shall develop and implement a plan to eliminate duplicative and~~
 264 ~~unnecessary inspections of child care facilities. In addition,~~
 265 The department and the local licensing ~~governmental~~ agencies
 266 ~~shall develop and implement an~~ shall conduct abbreviated
 267 inspections of plan for child care facilities licensed under s.
 268 402.305, family day care homes licensed under s. 402.313, and
 269 large family child care homes licensed under s. 402.3131 that
 270 have had no Class I¹ or Class II² violations ~~deficiencies~~, as
 271 defined by rule, for at least 2 consecutive years. The
 272 abbreviated inspection must include those elements identified by
 273 the department and the local licensing ~~governmental~~ agencies as
 274 being key indicators of whether the child care facility
 275 continues to provide quality care and programming. The
 276 department shall adopt rules under ss. 120.536(1) and 120.54,
 277 establishing criteria and procedures for abbreviated inspections
 278 and inspection schedules which provide for both announced and
 279 unannounced inspections.

280 Section 10. Present subsections (8), (9), (10), (11),
 281 (12), (13), and (14) are renumbered as subsections (6), (7),
 282 (8), (9), (10), (11), and (12), respectively, and subsections
 283 (1), (4), and (5) of section 402.313, Florida Statutes, are
 284 amended to read:

285 402.313 Family day care homes.—

286 (1) A family day care home must ~~homes shall~~ be licensed

287 under this section ~~act~~ if it is ~~they are~~ presently being
 288 licensed under an existing county licensing ordinance, ~~or if~~ the
 289 board of county commissioners passes a resolution that requires
 290 licensure of family day care homes, or the family day care home
 291 is operating a program under ss. 1002.55, 1002.61 or s. 1002.88
 292 be licensed. Each licensed or registered family day care home
 293 must conspicuously display its license or registration in an
 294 area viewable by all parents during hours of operation.

295 (a) If not subject to license, a family day care home must
 296 ~~homes shall~~ comply with the requirements of this section and
 297 register annually with the department, providing the following
 298 information:

- 299 1. The name and address of the home.
- 300 2. The name of the operator.
- 301 3. The number of children served.
- 302 4. Proof of a written plan to identify a ~~provide at least~~
 303 ~~one other~~ competent adult who has met the screening and training
 304 requirements of the department to serve as a designated
 305 substitute to be available to substitute for the operator in an
 306 ~~emergency.~~ This plan must ~~shall~~ include the name, address, and
 307 telephone number of the designated substitute that will serve in
 308 the absence of the operator.
- 309 ~~5. Proof of screening and background checks.~~
- 310 ~~6. Proof of successful completion of the 30-hour training~~
 311 ~~course, as evidenced by passage of a competency examination,~~
 312 ~~which shall include:~~

313 ~~a. State and local rules and regulations that govern child~~
 314 ~~care.~~

315 ~~b. Health, safety, and nutrition.~~

316 ~~e. Identifying and reporting child abuse and neglect.~~

317 ~~d. Child development, including typical and atypical~~
 318 ~~language development; and cognitive, motor, social, and self-~~
 319 ~~help skills development.~~

320 ~~e. Observation of developmental behaviors, including using~~
 321 ~~a checklist or other similar observation tools and techniques to~~
 322 ~~determine a child's developmental level.~~

323 ~~f. Specialized areas, including early literacy and~~
 324 ~~language development of children from birth to 5 years of age,~~
 325 ~~as determined by the department, for owner operators of family~~
 326 ~~day care homes.~~

327 5.7. Proof that immunization records are kept current.

328 ~~8. Proof of completion of the required continuing~~
 329 ~~education units or clock hours.~~

330 Upon receipt of registration information submitted by a family
 331 day care home, the department shall verify that the home is in
 332 compliance with the background screening requirements in
 333 subsection (3) and that the operator and the designated
 334 substitute have successfully completed the 30-hour training
 335 course, as evidenced by passage of a competency examination, and
 336 required continuing education units or clock hours.

337 (b) A family day care home may volunteer to be licensed
 338 ~~under this act.~~

339 (c) The department may provide technical assistance to
 340 counties and operators of family day care homes ~~providers~~ to
 341 enable counties and operators ~~family day care providers~~ to
 342 achieve compliance with family day care homes standards.

343 (3) Child care personnel in family day care homes ~~shall be~~
 344 are subject to the applicable screening provisions contained in
 345 ss. 402.305(2) and 402.3055. For purposes of screening in family
 346 day care homes, the term includes the operator, the designated
 347 substitute, any member over the age of 12 years of a family day
 348 care home operator's family, or persons over the age of 12 years
 349 residing with the operator in the family day care home. Members
 350 of the operator's family, or persons residing with the operator,
 351 who are between the ages of 12 years and 18 years shall not be
 352 required to be fingerprinted, but shall be screened for
 353 delinquency records.

354 (4) Operators of family day care homes and any individual
 355 serving as a substitute for the operator must:

356 (a) Successfully complete an approved 30-clock-hour
 357 introductory course in child care, as evidenced by passage of a
 358 competency examination, before caring for children. The course
 359 must include:

- 360 1. State and local rules and regulations that govern child
- 361 care.
- 362 2. Health, safety, and nutrition.
- 363 3. Identifying and reporting child abuse and neglect.
- 364 4. Child development, including typical and atypical

365 language development; and cognitive, motor, social, and
 366 executive functioning skills development.

367 5. Observation of developmental behaviors, including using
 368 a checklist or other similar observation tools and techniques to
 369 determine a child's developmental level.

370 6. Specialized areas, including numeracy and early
 371 literacy and language development of children from birth to 5
 372 years of age, as determined by the department, for operators of
 373 family day care homes.

374 ~~(b)(5) Annually In order to further develop their child~~
 375 ~~care skills and, if appropriate, their administrative skills,~~
 376 ~~operators of family day care homes shall be required to complete~~
 377 ~~an additional 1 continuing education unit of approved training~~
 378 ~~regarding child care and administrative skills or 10 clock hours~~
 379 ~~of equivalent training, as determined by the department,~~
 380 ~~annually.~~

381 ~~(c)(6) Operators of family day care homes shall be~~
 382 ~~required to Complete 0.5 continuing education unit of approved~~
 383 ~~training in numeracy and early literacy and language development~~
 384 ~~of children from birth to 5 years of age one time. The year that~~
 385 ~~this training is completed, it shall fulfill the 0.5 continuing~~
 386 ~~education unit or 5 clock hours of the annual training required~~
 387 ~~in paragraph (b) subsection (5).~~

388 ~~(5)(7) Operators of family day care homes must shall be~~
 389 ~~required annually to complete a health and safety home~~
 390 ~~inspection self-evaluation checklist developed by the department~~

391 in conjunction with the statewide resource and referral program.
 392 The completed checklist shall be signed by the operator of the
 393 family day care home and provided to parents as certification
 394 that basic health and safety standards are being met.

395 (6)~~(8)~~ Operators of family ~~Family~~ day care homes operators
 396 may avail themselves of supportive services offered by the
 397 department.

398 (7)~~(9)~~ The department shall prepare a brochure on family
 399 day care for distribution by the department and by local
 400 licensing agencies, if appropriate, to family day care homes for
 401 distribution to parents utilizing such child care, and to all
 402 interested persons, including physicians and other health
 403 professionals; mental health professionals; school teachers or
 404 other school personnel; social workers or other professional
 405 child care, foster care, residential, or institutional workers;
 406 and law enforcement officers. The brochure shall, at a minimum,
 407 contain the following information:

408 (a) A brief description of the requirements for family day
 409 care registration, training, and background ~~fingerprinting and~~
 410 screening.

411 (b) A listing of those counties that require licensure of
 412 family day care homes. Such counties shall provide an addendum
 413 to the brochure that provides a brief description of the
 414 licensure requirements or may provide a brochure in lieu of the
 415 one described in this subsection, provided it contains all the
 416 required information on licensure and the required information

417 in the subsequent paragraphs.

418 (c) A statement indicating that information about the
 419 family day care home's compliance with applicable state or local
 420 requirements can be obtained ~~by telephoning~~ from the department
 421 ~~office or the office of~~ the local licensing agency, ~~if~~
 422 ~~appropriate,~~ and the ~~at a~~ telephone number or numbers and
 423 website address for the department or local licensing agency, as
 424 applicable ~~which shall be affixed to the brochure.~~

425 (d) The statewide toll-free telephone number of the
 426 central abuse hotline, together with a notice that reports of
 427 suspected and actual child physical abuse, sexual abuse, and
 428 neglect are received and referred for investigation by the
 429 hotline.

430 (e) Any other information relating to competent child care
 431 that the department or local licensing agency, if preparing a
 432 separate brochure, ~~deems would be~~ considers helpful to parents
 433 and other caretakers in their selection of a family day care
 434 home.

435 (8) ~~(10)~~ On an annual basis, the department shall evaluate
 436 the registration and licensure system for family day care homes.
 437 Such evaluation shall, at a minimum, address the following:

438 (a) The number of family day care homes registered and
 439 licensed and the dates of such registration and licensure.

440 (b) The number of children being served in both registered
 441 and licensed family day care homes and any available slots in
 442 such homes.

443 (c) The number of complaints received concerning family
 444 day care, the nature of the complaints, and the resolution of
 445 such complaints.

446 (d) The training activities utilized by child care
 447 personnel in family day care homes for meeting the state or
 448 local training requirements.

449
 450 The evaluation shall be used ~~utilized~~ by the department in any
 451 administrative modifications or adjustments to be made in the
 452 registration of family day care homes or in any legislative
 453 requests for modifications to the system of registration or to
 454 other requirements for family day care homes.

455 ~~(11) In order to inform the public of the state~~
 456 ~~requirement for registration of family day care homes as well as~~
 457 ~~the other requirements for such homes to legally operate in the~~
 458 ~~state, the department shall institute a media campaign to~~
 459 ~~accomplish this end. Such a campaign shall include, at a~~
 460 ~~minimum, flyers, newspaper advertisements, radio advertisements,~~
 461 ~~and television advertisements.~~

462 (9) ~~(12)~~ Notwithstanding any other state or local law or
 463 ordinance, any family day care home licensed pursuant to this
 464 chapter or pursuant to a county ordinance shall be charged the
 465 utility rates accorded to a residential home. A licensed family
 466 day care home may not be charged commercial utility rates.

467 (10) ~~(13)~~ The department shall, by rule, establish minimum
 468 standards for family day care homes that are required to be

469 licensed by county licensing ordinance or county licensing
 470 resolution or that voluntarily choose to be licensed. The
 471 standards should include requirements for staffing, training,
 472 maintenance of immunization records, minimum health and safety
 473 standards, reduced standards for the regulation of child care
 474 during evening hours by municipalities and counties, and
 475 enforcement of standards.

476 ~~(11)-(14) During the months of August and September of each~~
 477 ~~year, Each~~ family day care home shall provide parents of
 478 children enrolling ~~enrolled~~ in the home detailed information
 479 regarding the causes, symptoms, and transmission of the
 480 influenza virus in an effort to educate those parents regarding
 481 the importance of immunizing their children against influenza as
 482 recommended by the Advisory Committee on Immunization Practices
 483 of the Centers for Disease Control and Prevention.

484 Section 11. Subsections (3), (5), and (9) of section
 485 402.3131, Florida Statutes, are amended to read:

486 402.3131 Large family child care homes.—

487 (3) Operators of large family child care homes must
 488 successfully complete an approved 40-clock-hour introductory
 489 course in group child care, including numeracy and early
 490 literacy and language development of children from birth to 5
 491 years of age, as evidenced by passage of a competency
 492 examination. Successful completion of the 40-clock-hour
 493 introductory course shall articulate into community college
 494 credit in early childhood education, pursuant to ss. 1007.24 and

495 1007.25.

496 (5) Operators of large family child care homes shall be
 497 required to complete 0.5 continuing education unit of approved
 498 training or 5 clock hours of equivalent training, as determined
 499 by the department, in numeracy and early literacy and language
 500 development of children from birth to 5 years of age one time.
 501 The year that this training is completed, it shall fulfill the
 502 0.5 continuing education unit or 5 clock hours of the annual
 503 training required in subsection (4).

504 (9) ~~During the months of August and September of each~~
 505 ~~year, each~~ Each large family child care home shall provide
 506 parents of children enrolling ~~enrolled~~ in the home detailed
 507 information regarding the causes, symptoms, and transmission of
 508 the influenza virus in an effort to educate those parents
 509 regarding the importance of immunizing their children against
 510 influenza as recommended by the Advisory Committee on
 511 Immunization Practices of the Centers for Disease Control and
 512 Prevention.

513 (10) Notwithstanding any other state or local law or ordinance, any large
 514 family child care home licensed pursuant to this chapter or pursuant to a county
 515 ordinance shall be charged the utility rates accorded to a residential home. Such a
 516 home may not be charged commercial utility rates.

517 Section 12. Subsections (4) and (5) are added to section
 518 402.316, Florida Statutes, to read:

519 402.316 Exemptions.—

520 (4) A child care facility operating under subsection (1),

521 applying to operate or operating as a provider of programs
 522 described in ss. 1002.55, 1002.61, or s. 1002.88, must
 523 substantially comply with the minimum standards for child care
 524 facilities promulgated pursuant to ss. 402.305 - 402.3057; and
 525 must allow the department or local licensing agency access to
 526 monitor and enforce compliance with such standards.

527 (a) The department or local licensing agency may pursue
 528 administrative or judicial action under ss. 402.310 - 402.312
 529 and the rules promulgated under these sections against any child
 530 care facility operating under this paragraph to enforce
 531 substantial compliance with child care facility minimum
 532 standards or to protect the health, safety, and well-being of
 533 any children in the facility's care. A child care facility
 534 operating under this paragraph shall be subject to ss. 402-310 -
 535 402.312 and the rules adopted thereunder to the same extent as a
 536 child care facility licensed under ss. 402.301 - 402.319.

537 (b) It is a misdemeanor of the first degree, punishable as
 538 provided in s. 775.082 or s. 775.083, for any person willfully,
 539 knowingly, or intentionally to:

540 1. Fail, by false statement, misrepresentation,
 541 impersonation, or other fraudulent means, to disclose in any
 542 required written documentation for exclusion from licensure
 543 pursuant to this section a material fact used in making a
 544 determination as to such exclusion; or

545 2. Use information from the criminal records obtained
 546 under s. 402.305 or s. 402.3055 for any purpose other than

547 screening that person for employment as specified in those
 548 sections or release such information to any other person for any
 549 purpose other than screening for employment as specified in
 550 those sections.

551 (c) It is a felony of the third degree, punishable as
 552 provided in s. 775.082, s. 775.083, or s. 775.084, for any
 553 person willfully, knowingly, or intentionally to use information
 554 from the juvenile records of any person obtained under s.
 555 402.305 or s. 402.3055 for any purpose other than screening for
 556 employment as specified in those sections or to release
 557 information from such records to any other person for any
 558 purpose other than screening for employment as specified in
 559 those sections.

560 (5) INSPECTION FEE.—The department shall establish a fee
 561 for inspection and compliance activities performed pursuant to
 562 this section, in an amount sufficient to cover costs. However,
 563 the amount of such fee for the inspection of a program shall not
 564 exceed the fee imposed for child care licensure pursuant to s.
 565 402.315.

566 (6) The inclusion of child care facilities operating under
 567 subsection (1) as a provider of programs described in ss.
 568 1002.55, 1002.61, or s. 1002.88, does not expand the regulatory
 569 authority of the state, its officers, or any early learning
 570 coalition to impose any additional regulation of child care
 571 facilities beyond those reasonably necessary to enforce
 572 requirements expressly set forth in this section.

573 Section 13. Section 627.70161, Florida Statutes, is
 574 amended to read:

575 627.70161 Residential property insurance coverage; family
 576 day care homes and large family child care homes insurance.—

577 (1) PURPOSE AND INTENT.—The Legislature recognizes that
 578 family day care homes and large family child care homes fulfill
 579 a vital role in providing child care in Florida. It is the
 580 intent of the Legislature that residential property insurance
 581 coverage should not be canceled, denied, or nonrenewed solely ~~on~~
 582 because ~~the basis of the family day child care services are~~
 583 provided at the residence. The Legislature also recognizes that
 584 the potential liability of residential property insurers is
 585 substantially increased by the rendition of child care services
 586 on the premises. The Legislature therefore finds that there is a
 587 public need to specify that contractual liabilities associated
 588 ~~that arise in connection~~ with the operation of a ~~the~~ family day
 589 care home or large family child care home are excluded from
 590 residential property insurance policies unless they are
 591 specifically included in such coverage.

592 (2) DEFINITIONS.—As used in this section, the term:

593 (a) "Child care" means the care, protection, and
 594 supervision of a child, for a period up to ~~of less than~~ 24 hours
 595 a day on a regular basis, which supplements parental care,
 596 enrichment, and health supervision for the child, in accordance
 597 with his or her individual needs, and for which a payment, fee,
 598 or grant is made for care.

599 (b) "Family day care home" has the same meaning as s.
 600 402.302(8) ~~means an occupied residence in which child care is~~
 601 ~~regularly provided for children from at least two unrelated~~
 602 ~~families and which receives a payment, fee, or grant for any of~~
 603 ~~the children receiving care, whether or not operated for a~~
 604 ~~profit.~~

605 (c) "Large family child care home" has the same meaning as
 606 s. 402.302(11).

607 (3) ~~FAMILY DAY CARE; COVERAGE.~~—A residential property
 608 insurance policy shall not provide coverage for liability for
 609 claims arising out of, or in connection with, the operation of a
 610 family day care home or large family child care home, and the
 611 insurer shall be under no obligation to defend against lawsuits
 612 covering such claims, unless:

613 (a) Specifically covered in a policy; or

614 (b) Covered by a rider or endorsement for business
 615 coverage attached to a policy.

616 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
 617 insurer may not deny, cancel, or refuse to renew a policy for
 618 residential property insurance solely on the basis that the
 619 policyholder or applicant operates a family day care home or
 620 large family child care home. In addition to other lawful
 621 reasons for refusing to insure, an insurer may deny, cancel, or
 622 refuse to renew a policy of a family day care home or large
 623 family child care home provider if one or more of the following
 624 conditions occur:

625 (a) The policyholder or applicant provides care for more
 626 children than authorized for family day care homes or large
 627 family child care homes by s. 402.302;

628 (b) The policyholder or applicant fails to maintain a
 629 separate commercial liability policy or an endorsement providing
 630 liability coverage for ~~the~~ family day care home or large family
 631 child care home operations;

632 (c) The policyholder or applicant fails to comply with the
 633 family day care home licensure and registration requirements
 634 specified in s. 402.313 or the large family child care home
 635 licensure requirements specified in s. 402.3131; or

636 (d) Discovery of willful or grossly negligent acts or
 637 omissions or any violations of state laws or regulations
 638 establishing safety standards for family day care homes and
 639 large family child care homes by the named insured or his or her
 640 representative which materially increase any of the risks
 641 insured.

642 Section 14. Subsection (4) of section 1002.53, Florida
 643 Statutes, are amended to read:

644 1002.53 Voluntary Prekindergarten Education Program;
 645 eligibility and enrollment.—

646 (4) (a) Each parent enrolling a child in the Voluntary
 647 Prekindergarten Education Program must complete and submit an
 648 application to the early learning coalition through the single
 649 point of entry established under s. 1002.82 or to the private
 650 prekindergarten provider if the provider is authorized by the

651 early learning coalition to determine student eligibility for
 652 enrollment in the program.

653 (b) The application must be submitted on forms prescribed
 654 by the Office of Early Learning and must be accompanied by a
 655 certified copy of the child's birth certificate. The forms must
 656 include a certification, in substantially the form provided in
 657 s. 1002.71(6)(b)2., that the parent chooses the private
 658 prekindergarten provider or public school in accordance with
 659 this section and directs that payments for the program be made
 660 to the provider or school. The Office of Early Learning may
 661 authorize alternative methods for submitting proof of the
 662 child's age in lieu of a certified copy of the child's birth
 663 certificate.

664 (c) If a private prekindergarten provider has been
 665 authorized to determine child eligibility and enrollment, upon
 666 receipt of an application, the provider must:

667 1. Determine the child's eligibility for the program and be
 668 responsible for any errors in such determination.

669 2. Retain the original application and certified copy of
 670 the child's birth certificate, or authorized alternative proof
 671 of age on file for at least 5 years.

672
 673 The early learning coalition may audit applications held by a
 674 private prekindergarten provider in the coalition's service area
 675 to determine whether children enrolled and reported for funding
 676 by the provider have met the eligibility criteria in subsection

677 | (2).

678 | ~~(d)-(e)~~ Each early learning coalition shall coordinate with
 679 | each of the school districts within the coalition's county or
 680 | multicounty region in the development of procedures for
 681 | enrolling children in prekindergarten programs delivered by
 682 | public schools, including procedures for making child
 683 | eligibility determinations and auditing enrollment records to
 684 | confirm that enrolled children have met eligibility
 685 | requirements.

686 | Section 15. Subsections (3), (4), and (5) of section
 687 | 1002.55, Florida Statutes, are amended, to read:

688 | 1002.55 School-year prekindergarten program delivered by
 689 | private prekindergarten providers.—

690 | (1) Each early learning coalition shall administer the
 691 | Voluntary Prekindergarten Education Program at the county or
 692 | regional level for students enrolled under s. 1002.53(3)(a) in a
 693 | school-year prekindergarten program delivered by a private
 694 | prekindergarten provider. Each early learning coalition must
 695 | cooperate with the Office of Early Learning and the Child Care
 696 | Services Program Office of the Department of Children and
 697 | Families to reduce paperwork and to avoid duplicating
 698 | interagency activities, health and safety monitoring, and
 699 | acquiring and composing data pertaining to child care training
 700 | and credentialing.

701 | (3) To be eligible to deliver the prekindergarten program,
 702 | a private prekindergarten provider must meet each of the

703 following requirements:

704 ~~(a) The private prekindergarten provider must be a child~~
 705 ~~care facility licensed under s. 402.305, family day care home~~
 706 ~~licensed under s. 402.313, large family child care home licensed~~
 707 ~~under s. 402.3131, nonpublic school exempt from licensure under~~
 708 ~~s. 402.3025(2), or faith-based child care provider exempt from~~
 709 ~~licensure under s. 402.316.~~

710 (a) ~~(b)~~ The private prekindergarten provider must:

711 1. Be accredited by an accrediting association that is a
 712 member of the National Council for Private School Accreditation,
 713 or the Florida Association of Academic Nonpublic Schools, or be
 714 accredited by the Southern Association of Colleges and Schools,
 715 or Western Association of Colleges and Schools, or North Central
 716 Association of Colleges and Schools, or Middle States
 717 Association of Colleges and Schools, or New England Association
 718 of Colleges and Schools; and have written accreditation
 719 standards that meet or exceed the state's licensing requirements
 720 under s. 402.305, s. 402.313, or s. 402.3131 and require at
 721 least one onsite visit to the provider or school before
 722 accreditation is granted;

723 2. Hold a current Gold Seal Quality Care designation under
 724 s. 402.281; ~~or~~

725 3. Be licensed under s. 402.305, s. 402.313, or s.
 726 402.3131 ~~and demonstrate, before delivering the Voluntary~~
 727 ~~Prekindergarten Education Program, as verified by the early~~
 728 ~~learning coalition, that the provider meets each of the~~

729 ~~requirements of the program under this part, including, but not~~
 730 ~~limited to, the requirements for credentials and background~~
 731 ~~screenings of prekindergarten instructors under paragraphs (c)~~
 732 ~~and (d), minimum and maximum class sizes under paragraph (f),~~
 733 ~~prekindergarten director credentials under paragraph (g), and a~~
 734 ~~developmentally appropriate curriculum under s. 1002.67(2)(b);~~
 735 or

736 4. Be a child development center located on a military
 737 installation and certified by the United States Department of
 738 Defense.

739 (b) Provide basic health and safety of its premises and
 740 facilities. For a public school, compliance with ss. 1003.22 and
 741 1013.12 satisfies this requirement. For a nonpublic school
 742 compliance with 402.3025(2)(d) satisfies this requirement. For a
 743 child care facility, a large family child care home, or a
 744 licensed family day care home, compliance with s. 402.305,
 745 402.3131, or 402.313 satisfies this requirement. For a facility
 746 exempt from licensure, compliance with 402.316(4) satisfies this
 747 requirement.

748 ~~(d)(e)~~ The private prekindergarten provider must have, for
 749 each prekindergarten class of 11 children or fewer, at least one
 750 prekindergarten instructor who meets each of the following
 751 requirements:

752 1. The prekindergarten instructor must hold, at a minimum,
 753 one of the following credentials:

754 a. A child development associate credential issued by the

755 National Credentialing Program of the Council for Professional
 756 Recognition; ~~or~~

757 b. A credential approved by the Department of Children and
 758 Families, pursuant to s. 402.305.(3)(c), as being equivalent to
 759 or greater than the credential described in sub-subparagraph a.

760 c. An associate's or higher degree in child development;
 761 d. An associate's or higher degree in an unrelated field,
 762 at least 6 credit hours in early childhood education or child
 763 development, and at least 480 hours of experience in teaching or
 764 providing child care services for children any age from birth
 765 through 8 years of age; A bachelor's or higher degree in early
 766 childhood education, prekindergarten or primary education,
 767 preschool education, or family and consumer science;

768 e. A bachelor's or higher degree in family and child
 769 science and at least 480 hours of experience in teaching or
 770 providing child care services for children any age from birth
 771 through 8 years of age;

772 f. A bachelor's or higher degree in elementary education,
 773 if the prekindergarten instructor has been certified to teach
 774 children any age from birth through 6th grade, regardless of
 775 whether the instructor's educator certificate is current, and if
 776 the instructor is not ineligible to teach in a public school
 777 because his or her educator certificate is suspended or revoked;
 778 or

779 g. A credential approved by the department as being
 780 equivalent to or greater than an educational credential

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781 described in sub-subparagraphs a. through f. The department may
782 adopt criteria and procedures for approving such equivalent
783 educational credentials.

784
785 ~~The Department of Children and Families may adopt rules under~~
786 ~~ss. 120.536(1) and 120.54 which provide criteria and procedures~~
787 ~~for approving equivalent credentials under sub-subparagraph b.~~

788 2. The prekindergarten instructor must successfully
789 complete an emergent literacy training course and a student
790 performance standards training course approved by the office as
791 meeting or exceeding the minimum standards adopted under s.
792 1002.59. The requirement for completion of the standards
793 training course shall take effect July 1, 2014⁵, and the course
794 shall be available online.

795 3. Beginning January 1, 2015, each prekindergarten
796 instructor must be trained in first aid and infant and child
797 cardiopulmonary resuscitation, as evidenced by current
798 documentation of course completion. Instructors hired on or
799 after January 1, 2015, as a condition of employment, must
800 complete this training within 30 days of employment.

801 ~~(d) Each prekindergarten instructor employed by the~~
802 ~~private prekindergarten provider must be of good moral~~
803 ~~character, must be screened using the level 2 screening~~
804 ~~standards in s. 435.04 before employment and rescreened at least~~
805 ~~once every 5 years, must be denied employment or terminated if~~
806 ~~required under s. 435.06, and must not be ineligible to teach in~~

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807 | ~~a public school because his or her educator certificate is~~
808 | ~~suspended or revoked.~~

809 | ~~(e) A private prekindergarten provider may assign a~~
810 | ~~substitute instructor to temporarily replace a credentialed~~
811 | ~~instructor if the credentialed instructor assigned to a~~
812 | ~~prekindergarten class is absent, as long as the substitute~~
813 | ~~instructor is of good moral character and has been screened~~
814 | ~~before employment in accordance with level 2 background~~
815 | ~~screening requirements in chapter 435. The Office of Early~~
816 | ~~Learning shall adopt rules to implement this paragraph which~~
817 | ~~shall include required qualifications of substitute instructors~~
818 | ~~and the circumstances and time limits for which a private~~
819 | ~~prekindergarten provider may assign a substitute instructor.~~

820 | ~~(e)~~(f) Each of the private prekindergarten provider's
821 | prekindergarten classes must be composed of at least 4 students
822 | but may not exceed 20 students. In order to protect the health
823 | and safety of students, each private prekindergarten provider
824 | must also provide appropriate adult supervision for students at
825 | all times and, for each prekindergarten class composed of 12 or
826 | more students, must have, in addition to a prekindergarten
827 | instructor who meets the requirements of paragraph (c), at least
828 | one adult prekindergarten instructor who is not required to meet
829 | those requirements but who must meet each requirement of
830 | paragraph (d). This paragraph does not supersede any requirement
831 | imposed on a provider under ss. 402.301-402.319.

832 | (f) Beginning January 1, 2016, child care personnel

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833 employed by a private prekindergarten provider must be at least
 834 18 years of age, unless the personnel is not responsible for
 835 supervising children in care or is under direct supervision and
 836 is not counted for the purposes of computing the personnel to
 837 child ratio.

838 (g) Child care personnel employed by a private
 839 prekindergarten provider must hold a high school diploma or its
 840 equivalent by January 1, 2016. This paragraph does not apply to
 841 personnel who are not responsible for supervising children in
 842 care or under direct supervision and not counted for the
 843 purposes of computing the personnel to child ratio.

844 (h)-(g) The private prekindergarten provider must have a
 845 prekindergarten director who has a prekindergarten director
 846 credential that is approved by the office as meeting or
 847 exceeding the minimum standards adopted under s. 1002.57.
 848 Successful completion of a child care facility director
 849 credential under s. 402.305(2)(f) before the establishment of
 850 the prekindergarten director credential under s. 1002.57 or July
 851 1, 2006, whichever occurs later, satisfies the requirement for a
 852 prekindergarten director credential under this paragraph.

853 (i)-(h) The private prekindergarten provider must register
 854 with the early learning coalition on forms prescribed by the
 855 Office of Early Learning.

856 (j)-(i) The private prekindergarten provider must execute
 857 the statewide provider contract prescribed under s. 1002.75,
 858 except that an individual who owns or operates multiple private

859 prekindergarten providers within a coalition's service area may
 860 execute a single agreement with the coalition on behalf of each
 861 provider.

862 (k)~~(j)~~ The private prekindergarten provider must maintain
 863 general liability insurance and provide the coalition with
 864 written evidence of general liability insurance coverage,
 865 including coverage for transportation of children if
 866 prekindergarten students are transported by the provider. A
 867 provider must obtain and retain an insurance policy that
 868 provides a minimum of \$100,000 of coverage per occurrence and a
 869 minimum of \$300,000 general aggregate coverage. The office may
 870 authorize lower limits upon request, as appropriate. ~~A provider~~
 871 ~~must add the coalition as a named certificateholder and as an~~
 872 ~~additional insured.~~ A provider must provide the coalition with a
 873 minimum of 10 calendar days' advance written notice of
 874 cancellation of or changes to coverage. The general liability
 875 insurance required by this paragraph must remain in full force
 876 and effect for the entire period of the provider contract with
 877 the coalition.

878 (l)~~(k)~~ The private prekindergarten provider must obtain
 879 and maintain any required workers' compensation insurance under
 880 chapter 440 and any required reemployment assistance or
 881 unemployment compensation coverage under chapter 443, unless
 882 exempt under state or federal law.

883 (m)~~(l)~~ Notwithstanding paragraph (j), for a private
 884 prekindergarten provider that is a state agency or a subdivision

885 thereof, as defined in s. 768.28(2), the provider must agree to
 886 notify the coalition of any additional liability coverage
 887 maintained by the provider in addition to that otherwise
 888 established under s. 768.28. The provider shall indemnify the
 889 coalition to the extent permitted by s. 768.28.

890 (n) A private prekindergarten provider shall be denied
 891 initial eligibility to offer the program if it has been cited
 892 for a class I violation in the 12 months prior to seeking
 893 eligibility. An existing provider that is cited for a class I
 894 violation may not have its eligibility renewed for a period of
 895 12 months. The requirements of this subsection do not apply if
 896 the department determines that the violation was reported by the
 897 provider and the employee responsible for the violation was
 898 terminated.

899 (o) ~~(m)~~ The private prekindergarten provider must deliver
 900 the Voluntary Prekindergarten Education Program in accordance
 901 with this part and have child disciplinary policies that
 902 prohibit children from being subjected to discipline that is
 903 severe, humiliating, frightening, or associated with food, rest,
 904 toileting, spanking, or any other form of physical punishment as
 905 provided in s. 402.305(12).

906 ~~(4) A prekindergarten instructor, in lieu of the minimum~~
 907 ~~credentials and courses required under paragraph (3)(c), may~~
 908 ~~hold one of the following educational credentials:~~

909 ~~(a) A bachelor's or higher degree in early childhood~~
 910 ~~education, prekindergarten or primary education, preschool~~

911 ~~education, or family and consumer science;~~

912 ~~(b) A bachelor's or higher degree in elementary education,~~
913 ~~if the prekindergarten instructor has been certified to teach~~
914 ~~children any age from birth through 6th grade, regardless of~~
915 ~~whether the instructor's educator certificate is current, and if~~
916 ~~the instructor is not ineligible to teach in a public school~~
917 ~~because his or her educator certificate is suspended or revoked;~~

918 ~~(c) An associate's or higher degree in child development;~~

919 ~~(d) An associate's or higher degree in an unrelated field,~~
920 ~~at least 6 credit hours in early childhood education or child~~
921 ~~development, and at least 480 hours of experience in teaching or~~
922 ~~providing child care services for children any age from birth~~
923 ~~through 8 years of age; or~~

924 ~~(e) An educational credential approved by the department~~
925 ~~as being equivalent to or greater than an educational credential~~
926 ~~described in this subsection. The department may adopt criteria~~
927 ~~and procedures for approving equivalent educational credentials~~
928 ~~under this paragraph.~~

929 ~~(5) Notwithstanding paragraph (3) (b), a private~~
930 ~~prekindergarten provider may not participate in the Voluntary~~
931 ~~Prekindergarten Education Program if the provider has child~~
932 ~~disciplinary policies that do not prohibit children from being~~
933 ~~subjected to discipline that is severe, humiliating,~~
934 ~~frightening, or associated with food, rest, toileting, spanking,~~
935 ~~or any other form of physical punishment as provided in s.~~
936 ~~402.305(12).~~

937 Section 16. Subsections (4), (5), and (6) of section
 938 1002.61, Florida Statutes, are amended to read:

939 1002.61 Summer prekindergarten program delivered by public
 940 schools and private prekindergarten providers.—

941 (3) (a) Each district school board shall determine which
 942 public schools in the school district are eligible to deliver
 943 the summer prekindergarten program. The school district shall
 944 use educational facilities available in the public schools
 945 during the summer term for the summer prekindergarten program.

946 (b) Each public school delivering the summer
 947 prekindergarten program must execute the statewide provider
 948 contract prescribed under s. 1002.75, except that the school
 949 district may execute a single agreement with the early learning
 950 coalition on behalf of all district schools.

951 (c) Except as provided in this section, to be eligible to
 952 deliver the summer prekindergarten program, a private
 953 prekindergarten provider must meet each requirement in s.
 954 1002.55.

955 (d) Each charter school authorized to deliver the
 956 prekindergarten program pursuant to its charter contract shall
 957 be considered part of the sponsor's overall prekindergarten
 958 program and must meet all requirements of this part applicable
 959 to prekindergarten programs delivered by public schools. The
 960 sponsor shall provide the same level of oversight over the
 961 charter school's prekindergarten program as it provides for
 962 other public schools in the school district. A charter school

963 not authorized to deliver the summer prekindergarten program
 964 pursuant to its charter contract may deliver the program as a
 965 private provider in accordance with the requirements of s.
 966 1002.55 and this section.

967 (4) ~~Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4),~~
 968 Each public school and private prekindergarten provider that
 969 delivers the summer prekindergarten program must have, for each
 970 prekindergarten class, at least one prekindergarten instructor
 971 who is a certified teacher or holds one of the educational
 972 credentials specified in s. 1002.53(3)(c)1.c.-d. ~~1002.55(4)(a)~~
 973 ~~or (b).~~ As used in this subsection, the term "certified teacher"
 974 means a teacher holding a valid Florida educator certificate
 975 under s. 1012.56 who has the qualifications required by the
 976 district school board to instruct students in the summer
 977 prekindergarten program. In selecting instructional staff for
 978 the summer prekindergarten program, each school district shall
 979 give priority to teachers who have experience or coursework in
 980 early childhood education.

981 (5) Each prekindergarten instructor employed by a public
 982 school or private prekindergarten provider delivering the summer
 983 prekindergarten program must be of good moral character, must
 984 undergo background screening pursuant to s. 402.305(2)(a) be
 985 ~~screened using the level 2 screening standards in s. 435.04~~
 986 before employment must be ~~and~~ rescreened at least once every 5
 987 years, must be denied employment or terminated if required under
 988 s. 435.06, and must not be ineligible to teach in a public

989 school because his or her educator certificate is suspended or
 990 revoked. This subsection does not supersede employment
 991 requirements for instructional personnel in public schools which
 992 are more stringent than the requirements of this subsection.

993 (6) A public school or private prekindergarten provider
 994 may assign a substitute instructor to temporarily replace a
 995 credentialed instructor if the credentialed instructor assigned
 996 to a prekindergarten class is absent, as long as the substitute
 997 instructor meets the requirements of subsection (5)~~is of good~~
 998 ~~moral character and has been screened before employment in~~
 999 ~~accordance with level 2 background screening requirements in~~
 1000 ~~chapter 435.~~ This subsection does not supersede employment
 1001 requirements for instructional personnel in public schools which
 1002 are more stringent than the requirements of this subsection. The
 1003 Office of Early Learning shall adopt rules to implement this
 1004 subsection which shall include required qualifications of
 1005 substitute instructors and the circumstances and time limits for
 1006 which a public school or private prekindergarten provider may
 1007 assign a substitute instructor.

1008 Section 17. Section 1002.63, Florida Statutes, is amended
 1009 to read:

1010 1002.63 School-year prekindergarten program delivered by
 1011 public schools.—

1012 (3) (a) The district school board of each school district
 1013 shall determine which public schools in the district may deliver
 1014 the prekindergarten program during the school year.

1015 (b) Each public school delivering the school-year
 1016 prekindergarten program must execute the statewide provider
 1017 contract prescribed under s. 1002.75, except that the school
 1018 district may execute a single agreement with the early learning
 1019 coalition on behalf of all district schools.

1020 (c) Each charter school authorized to deliver the
 1021 prekindergarten program pursuant to its charter contract shall
 1022 be considered part of the sponsor's overall prekindergarten
 1023 program and must meet all requirements of this part applicable
 1024 to prekindergarten programs delivered by public schools. The
 1025 sponsor shall provide the same level of oversight over the
 1026 charter school's prekindergarten program as it provides for
 1027 other public schools in the school district. A charter school
 1028 not authorized to deliver the prekindergarten program pursuant
 1029 to its charter contract may deliver the program as a private
 1030 provider in accordance with the requirements of s. 1002.55.

1031 (4) Each public school must have, for each prekindergarten
 1032 class, at least one prekindergarten instructor who meets each
 1033 requirement in s. 1002.55(3) ~~(d)-(e)~~ for a prekindergarten
 1034 instructor of a private prekindergarten provider.

1035 (5) Each prekindergarten instructor employed by a public
 1036 school delivering the school-year prekindergarten program must
 1037 ~~satisfy the~~ ~~be of good moral character, must be screened using~~
 1038 ~~the level 2 screening standards in s. 435.04 before employment~~
 1039 ~~and rescreened at least once every 5 years, must be denied~~
 1040 ~~employment or terminated if required under s. 435.06, and must~~

1041 ~~not be ineligible to teach in a public school because his or her~~
 1042 ~~educator certificate is suspended or revoked. This subsection~~
 1043 ~~does not supersede employment requirements for instructional~~
 1044 ~~personnel in public schools as provided in s. 1012.32 which are~~
 1045 ~~more stringent than the requirements of this subsection.~~

1046 (6) A public school prekindergarten provider may assign a
 1047 substitute instructor to temporarily replace a credentialed
 1048 instructor if the credentialed instructor assigned to a
 1049 prekindergarten class is absent, as long as the substitute
 1050 instructor meets the requirements of subsection (5) ~~is of good~~
 1051 ~~moral character and has been screened before employment in~~
 1052 ~~accordance with level 2 background screening requirements in~~
 1053 ~~chapter 435. This subsection does not supersede employment~~
 1054 ~~requirements for instructional personnel in public schools which~~
 1055 ~~are more stringent than the requirements of this subsection.~~ The
 1056 Office of Early Learning shall adopt rules to implement this
 1057 subsection which shall include required qualifications of
 1058 substitute instructors and the circumstances and time limits for
 1059 which a public school prekindergarten provider may assign a
 1060 substitute instructor.

1061 (7) Each prekindergarten class in a public school
 1062 delivering the school-year prekindergarten program must be
 1063 composed of at least 4 students but may not exceed 20 students.
 1064 In order to protect the health and safety of students, each
 1065 school must also provide appropriate adult supervision for
 1066 students at all times and, for each prekindergarten class

1067 composed of 12 or more students, must have, in addition to a
 1068 prekindergarten instructor who meets the requirements of s.
 1069 1002.55(3) (d) ~~(e)~~, at least one adult prekindergarten instructor
 1070 who is not required to meet those requirements but who must meet
 1071 each requirement of subsection (5).

1072 (8) Each public school delivering the school-year
 1073 prekindergarten program must register with the early learning
 1074 coalition on forms prescribed by the Office of Early Learning
 1075 and deliver the Voluntary Prekindergarten Education Program in
 1076 accordance with this part.

1077 Section 18. Paragraph (a) of subsection (6) of section
 1078 1002.71, Florida Statutes, is amended to read:

1079 1002.71 Funding; financial and attendance reporting.—

1080 (6) (a) Each parent enrolling his or her child in the
 1081 Voluntary Prekindergarten Education Program must agree to comply
 1082 with the attendance policy of the private prekindergarten
 1083 provider or district school board, as applicable. Upon
 1084 enrollment of the child, the private prekindergarten provider or
 1085 public school, as applicable, must provide the child's parent
 1086 with program information, including but not limited to, child
 1087 development, expectations for parent engagement, daily schedule
 1088 and a copy of the provider's or school district's the attendance
 1089 policy, which must include procedures for contacting a
 1090 parent on the second consecutive day a child is absent for which
 1091 the reason is unknown as applicable.

1092 Section 19. Section 1002.75, Florida Statutes, is amended

1093 to read:

1094 1002.75 Office of Early Learning; powers and duties.—

1095 (1) The Office of Early Learning shall adopt by rule a
 1096 standard statewide provider contract to be used with each
 1097 Voluntary Prekindergarten Education Program provider, with
 1098 standardized attachments by provider type. The office shall
 1099 publish a copy of the standard statewide provider contract on
 1100 its website. The standard statewide contract shall include, at a
 1101 minimum, provisions ~~for~~:

1102 (a) Governing provider probation, termination for cause,
 1103 and emergency termination for those actions or inactions of a
 1104 provider that pose an immediate and serious danger to the
 1105 health, safety, or welfare of children. The standard statewide
 1106 contract shall also include appropriate due process procedures.
 1107 During the pendency of an appeal of a termination, the provider
 1108 may not continue to offer its services.

1109 (b) Requiring each private prekindergarten provider to
 1110 notify the parent or guardian of each child in care if it is
 1111 cited for a class I violation, as defined by rule of the
 1112 Department of Children and Families. Such notice shall describe
 1113 each violation with specificity, in simple language, and include
 1114 a copy of the citation and the contact information of the
 1115 department or local licensing agency where the parent or
 1116 guardian may obtain additional information regarding the
 1117 citation. Notice of class I violations by the provider must be
 1118 provided electronically or in writing to the parent within 24

1119 hours of receipt of the citation. A private prekindergarten
 1120 provider must conspicuously post each citation for a violation
 1121 that results in disciplinary action on the premises in an area
 1122 visible to parents pursuant to s. 402.3125(1) (b). Additionally,
 1123 such a provider must post each inspection report on the premises
 1124 in an area visible to parents, which report must remain posted
 1125 until the next inspection report is available.

1126 (c) Specifying that child care personnel employed by the
 1127 provider who are responsible for supervising children in care
 1128 must be trained in developmentally appropriate practices aligned
 1129 to the age and needs of children to which the personnel is
 1130 assigned supervision duties. This requirement is met by
 1131 completion of developmentally appropriate practice courses
 1132 administered by the Department of Children and Families under s.
 1133 402.305(2) (d)1. within 30 days after being assigned to children
 1134 for which developmentally appropriate practice training has not
 1135 been completed by the personnel.

1136
 1137 Any provision imposed upon a provider that is inconsistent with,
 1138 or prohibited by, law is void and unenforceable.

1139 Section 20. Section 1002.77, Florida Statutes, is amended
 1140 to read:

1141 1002.77 Florida Early Learning Advisory Council.—

1142 (1) There is created the Florida Early Learning Advisory
 1143 Council within the Office of Early Learning. The purpose of the
 1144 advisory council is to provide written input ~~submit~~

1145 ~~recommendations to the Executive Director office on early~~
 1146 ~~learning best practices, including recommendations relating to~~
 1147 ~~the most effective program administration; of the Voluntary~~
 1148 ~~Prekindergarten Education Program under this part and the school~~
 1149 ~~readiness program under part VI of this chapter. The advisory~~
 1150 ~~council shall periodically analyze and provide recommendations~~
 1151 ~~to the office on the effective and efficient use of local,~~
 1152 ~~state, and federal funds; the content of professional~~
 1153 ~~development training programs; and best practices for the~~
 1154 ~~development and implementation of coalition plans pursuant to s.~~
 1155 1002.85.

1156 (2) The advisory council shall be composed of the
 1157 following members:

1158 (a) The chair of the advisory council who shall be
 1159 appointed by and serve at the pleasure of the Governor.

1160 (b) The chair of each early learning coalition.

1161 (c) One member who shall be appointed by and serve at the
 1162 pleasure of the President of the Senate.

1163 (d) One member who shall be appointed by and serve at the
 1164 pleasure of the Speaker of the House of Representatives.

1165
 1166 The chair of the advisory council appointed by the Governor and
 1167 the members appointed by the presiding officers of the
 1168 Legislature must be from the business community and be in
 1169 compliance with s. 1002.83(5).

1170 (3) The advisory council shall meet at least quarterly

1171 upon the call of the Executive Director ~~but may meet as often as~~
 1172 ~~necessary to carry out its duties and responsibilities.~~ The
 1173 Executive Director is encouraged to ~~advisory council may use~~
 1174 communications media technology ~~any method of telecommunications~~
 1175 to conduct meetings in accordance with the requirements of s.
 1176 120.54(5)(b). ~~, including establishing a quorum through~~
 1177 ~~telecommunications, only if the public is given proper notice of~~
 1178 ~~a telecommunications meeting and reasonable access to observe~~
 1179 ~~and, when appropriate, participate.~~

1180 (4) (a) Each member of the advisory council ~~shall~~ may serve
 1181 without compensation but is entitled to receive reimbursement
 1182 for per diem and travel expenses for attendance at council
 1183 meetings as provided in s. 112.061.

1184 (b) Each member of the advisory council is subject to the
 1185 ethics provisions in part III of chapter 112.

1186 (c) For purposes of tort liability, each member of the
 1187 advisory council shall be governed by s. 768.28.

1188 (5) The Office of Early Learning shall provide staff and
 1189 administrative support for the advisory council as determined by
 1190 the Executive Director.

1191 Section 21. Section 1002.81, Florida Statutes, is amended
 1192 to read:

1193 1002.81 Definitions.—Consistent with the requirements of
 1194 45 C.F.R. parts 98 and 99 and as used in this part, the term:

1195 (1) "At-risk child" means:

1196 (a) A child from a family under investigation by the

1197 Department of Children and Families or a designated sheriff's
 1198 office for child abuse, neglect, abandonment, or exploitation.

1199 (b) A child who is in a diversion program provided by the
 1200 Department of Children and Families or its contracted provider
 1201 and who is from a family that is actively participating and
 1202 complying in department-prescribed activities, including
 1203 education, health services, or work.

1204 (c) A child from a family that is under supervision,
 1205 whether judicial or non-judicial, by the Department of Children
 1206 and Families or a contracted service provider for abuse,
 1207 neglect, abandonment, or exploitation.

1208 (d) A child placed in court-ordered, long-term custody or
 1209 under the guardianship of a relative or nonrelative after
 1210 termination of supervision by the Department of Children and
 1211 Families or its contracted provider.

1212 (e) A child in the custody of a parent who is a victim of
 1213 domestic violence residing in a certified domestic violence
 1214 center.

1215 (f) A child in the custody of a parent who is considered
 1216 homeless as verified by a designated lead agency on the homeless
 1217 assistance continuum of care established under ss. 420.622-624
 1218 ~~Department of Children and Families certified homeless shelter.~~

1219 (2) "Authorized hours of care" means the hours of care
 1220 that are necessary to provide protection, maintain employment,
 1221 or complete work activities or eligible educational activities,
 1222 including reasonable travel time.

1223 (3) "Average market rate" means the biennially determined
 1224 average of the market rate by program care level and provider
 1225 type in a predetermined geographic market.

1226 (4) "Direct enhancement services" means services for
 1227 families and children that are in addition to payments for the
 1228 placement of children in the school readiness program. Direct
 1229 enhancement services for families and children may include
 1230 supports for providers, parent training and involvement
 1231 activities, and strategies to meet the needs of unique
 1232 populations and local eligibility priorities. Direct enhancement
 1233 services offered by an early learning coalition shall be
 1234 consistent with the activities prescribed in s. 1002.89(6)(b).

1235 (5) "Disenrollment" means the removal, either temporary or
 1236 permanent, of a child from participation in the school readiness
 1237 program. Removal of a child from the school readiness program
 1238 may be based on the following events: a reduction in available
 1239 school readiness program funding, participant's failure to meet
 1240 eligibility or program participation requirements, fraud, or a
 1241 change in local service priorities.

1242 (6) "Earned income" means gross remuneration derived from
 1243 work, professional service, or self-employment. The term
 1244 includes commissions, bonuses, back pay awards, and the cash
 1245 value of all remuneration paid in a medium other than cash.

1246 (7) "Economically disadvantaged" means having a family
 1247 income that does not exceed 150 percent of the federal poverty
 1248 level and includes being a child of a working migratory family

1249 as defined by 34 C.F.R. s. 200.81(d) or (f) or an agricultural
 1250 worker who is employed by more than one agricultural employer
 1251 during the course of a year, and whose income varies according
 1252 to weather conditions and market stability.

1253 (8) "Family income" means the combined gross income,
 1254 whether earned or unearned, that is derived from any source by
 1255 all family or household members who are 18 years of age or older
 1256 who are currently residing together in the same dwelling unit.
 1257 The term does not include:

1258 (a) Income earned by a currently enrolled high school
 1259 student who, since attaining the age of 18 years, or a student
 1260 with a disability who, since attaining the age of 22 years, has
 1261 not terminated school enrollment or received a high school
 1262 diploma, high school equivalency diploma, special diploma, or
 1263 certificate of high school completion.

1264 (b) Income earned by a teen parent residing in the same
 1265 residence as a separate family unit.

1266 (c)
 1267 ~~The term also does not include~~ Selected items from the Child
 1268 Care Development Fund state plan, such as food stamp benefits,
 1269 documented child support and alimony payments paid out of the
 1270 home, or federal housing assistance payments issued directly to
 1271 a landlord or the associated utilities expenses.

1272 (9) "Family or household members" means spouses, former
 1273 spouses, persons related by blood or marriage, persons who are
 1274 parents of a child in common regardless of whether they have

1275 been married, and other persons who are currently residing
 1276 together in the same dwelling unit as if a family.

1277 (10) "Full-time care" means at least 6 hours, but not more
 1278 than 11 hours, of child care or early childhood education
 1279 services within a 24-hour period.

1280 (11) "Market rate" means the price that a child care or
 1281 early childhood education provider charges for full-time or
 1282 part-time daily, weekly, or monthly child care or early
 1283 childhood education services.

1284 (12) "Office" means the Office of Early Learning of the
 1285 Department of Education.

1286 (13) "Part-time care" means less than 6 hours of child
 1287 care or early childhood education services within a 24-hour
 1288 period.

1289 (14) "Single point of entry" means an integrated
 1290 information system that allows a parent to enroll his or her
 1291 child in the school readiness program or the Voluntary
 1292 Prekindergarten Education Program at various locations
 1293 throughout a county, that may allow a parent to enroll his or
 1294 her child by telephone or through a website, and that uses a
 1295 uniform waiting list to track eligible children waiting for
 1296 enrollment in the school readiness program.

1297 (15) "Unearned income" means income other than earned
 1298 income. The term includes, but is not limited to:

1299 (a) Documented alimony and child support received.

1300 (b) Social security benefits.

- 1301 (c) Supplemental security income benefits.
- 1302 (d) Workers' compensation benefits.
- 1303 (e) Reemployment assistance or unemployment compensation
- 1304 benefits.
- 1305 (f) Veterans' benefits.
- 1306 (g) Retirement benefits.
- 1307 (h) Temporary cash assistance under chapter 414.
- 1308 (16) "Working family" means:
- 1309 (a) A single-parent family in which the parent with whom
- 1310 the child resides is employed or engaged in eligible work or
- 1311 education activities for at least 20 hours per week or is exempt
- 1312 from work requirements due to age or disability, as determined
- 1313 and documented by a physician licensed under chapters 458 or
- 1314 459;
- 1315 (b) A two-parent family in which both parents with whom
- 1316 the child resides are employed or engaged in eligible work or
- 1317 education activities for a combined total of at least 40 hours
- 1318 per week; ~~or~~
- 1319 (c) A two-parent family in which one of the parents with
- 1320 whom the child resides is exempt from work requirements due to
- 1321 age or disability, as determined and documented by a physician
- 1322 licensed under chapter 458 or chapter 459, and one parent is
- 1323 employed or engaged in eligible work or education activities at
- 1324 least 20 hours per week; or
- 1325 (d) A two-parent family in which both of the parents with
- 1326 whom the child resides are exempt from work requirements due to

1327 age or disability, as determined and documented by a physician
 1328 licensed under chapter 458 or 459.

1329 Section 22. Section 1002.82, Florida Statutes, is amended
 1330 to read:

1331 1002.82 Office of Early Learning; powers and duties.—

1332 (2) The office shall:

1333 (a) Focus on improving the educational quality delivered
 1334 by all providers participating in the school readiness program.

1335 (b) Preserve parental choice by permitting parents to
 1336 choose from a variety of child care categories, as authorized in
 1337 s. 1002.88(1) including center-based care, family child care,
 1338 and informal child care to the extent authorized in the state's
 1339 Child Care and Development Fund Plan as approved by the United
 1340 States Department of Health and Human Services pursuant to 45
 1341 C.F.R. s. 98.18. Care and curriculum by a faith-based provider
 1342 may not be limited or excluded in any of these categories.

1343 (c) Be responsible for the prudent use of all public and
 1344 private funds in accordance with all legal and contractual
 1345 requirements, safeguarding the effective use of federal, state,
 1346 and local resources to achieve the highest practicable level of
 1347 school readiness for the children described in s. 1002.87,
 1348 including:

1349 1. The adoption of a uniform chart of accounts for
 1350 budgeting and financial reporting purposes that provides
 1351 standardized definitions for expenditures and reporting,
 1352 consistent with the requirements of 45 C.F.R. part 98 and s.

1353 1002.89 for each of the following categories of expenditure:

1354 a. Direct services to children.

1355 b. Administrative costs.

1356 c. Quality activities.

1357 d. Nondirect services.

1358 2. Coordination with other state and federal agencies to
 1359 perform data matches on children participating in the school
 1360 readiness program and their families in order to verify the
 1361 children's eligibility pursuant to s. 1002.87.

1362 (d) Establish procedures for the biennial calculation of
 1363 the average market rate.

1364 (e) Review each early learning coalition's school
 1365 readiness program plan every 2 years and provide final approval
 1366 of the plan and any amendments submitted.

1367 (f) Establish a unified approach to the state's efforts to
 1368 coordinate a comprehensive early learning program. In support of
 1369 this effort, the office:

1370 1. Shall adopt specific program support services that
 1371 address the state's school readiness program, including:

1372 a. Statewide data information program requirements that
 1373 include:

1374 (I) Eligibility requirements.

1375 (II) Financial reports.

1376 (III) Program accountability measures.

1377 (IV) Child progress reports.

1378 b. Child care resource and referral services.

- 1379 c. A single point of entry and uniform waiting list.
- 1380 2. May provide technical assistance and guidance on
- 1381 additional support services to complement the school readiness
- 1382 program, including:
- 1383 a. Rating and improvement systems.
- 1384 b. Warm-Line services.
- 1385 c. Anti-fraud plans.
- 1386 d. School readiness program standards.
- 1387 e. Child screening and assessments.
- 1388 f. Training and support for parental involvement in
- 1389 children's early education.
- 1390 g. Family literacy activities and services.
- 1391 (g) Provide technical assistance to early learning
- 1392 coalitions.
- 1393 (h) In cooperation with the early learning coalitions,
- 1394 coordinate with the Child Care Services Program Office of the
- 1395 Department of Children and Families to reduce paperwork and to
- 1396 avoid duplicating interagency activities, health and safety
- 1397 monitoring, and acquiring and composing data pertaining to child
- 1398 care training and credentialing.
- 1399 (i) Develop, in coordination with the Child Care Services
- 1400 Program Office of the Department of Children and Families, and
- 1401 adopt a health and safety checklist to be completed by license-
- 1402 exempt providers that does not exceed the requirements of s.
- 1403 402.305.
- 1404 (j) Develop and adopt standards and benchmarks that

1405 address the age-appropriate progress of children in the
 1406 development of school readiness skills. The standards for
 1407 children from birth to 5 years of age in the school readiness
 1408 program must be aligned with the performance standards adopted
 1409 for children in the Voluntary Prekindergarten Education Program
 1410 and must address the following domains:

- 1411 1. Approaches to learning.
- 1412 2. Cognitive development and general knowledge.
- 1413 3. Numeracy, language, and communication.
- 1414 4. Physical development.
- 1415 5. Self-regulation.

1416
 1417 By July 1, 2015, the Office of Early Learning shall develop and
 1418 implement an online training course on the performance standards
 1419 for school readiness provider child care personnel.

1420 (k) Select assessments that are valid, reliable, and
 1421 developmentally appropriate for use as preassessment and
 1422 postassessment for the age ranges specified in the coalition
 1423 plans. The assessments must be designed to measure progress in
 1424 the domains of the performance standards adopted pursuant to
 1425 paragraph (j), provide appropriate accommodations for children
 1426 with disabilities and English language learners, and be
 1427 administered by qualified individuals, consistent with the
 1428 publisher's instructions.

1429 (l) Adopt a list of approved curricula that meet the
 1430 performance standards for the school readiness program and

1431 establish a process for the review and approval of a provider's
 1432 curriculum that meets the performance standards.

1433 (m) Adopt by rule a standard statewide provider contract
 1434 to be used with each school readiness program provider, with
 1435 standardized attachments by provider type. The office shall
 1436 publish a copy of the standard statewide provider contract on
 1437 its website. The standard statewide contract shall include, at a
 1438 minimum, provisions ~~for~~:

1439 1. Governing provider probation, termination for cause,
 1440 and emergency termination for those actions or inactions of a
 1441 provider that pose an immediate and serious danger to the
 1442 health, safety, or welfare of the children. The standard
 1443 statewide provider contract shall also include appropriate due
 1444 process procedures. During the pendency of an appeal of a
 1445 termination, the provider may not continue to offer its
 1446 services.

1447 2. Requiring each provider that is eligible to provide the
 1448 program pursuant to s. 1002.88(1)(a)1. and 2. to notify the
 1449 parent or guardian of each child in care if it is cited for a
 1450 class I violation, as defined by rule of the Department of
 1451 Children and Families. Such notice shall describe each violation
 1452 with specificity, in simple language, and include a copy of the
 1453 citation and the contact information of the department or local
 1454 licensing agency where the parent or guardian may obtain
 1455 additional information regarding the citation. Notice of class I
 1456 violations by the provider must be provided electronically or in

1457 writing to the parent within 24 hours of receipt of the
 1458 citation. A private prekindergarten provider must conspicuously
 1459 post each citation for a violation that results in disciplinary
 1460 action on the premises in an area visible to parents pursuant to
 1461 s. 402.3125(1)(b). Additionally, such a provider must post each
 1462 inspection report on the premises in an area visible to parents,
 1463 which report must remain posted until the next inspection report
 1464 is available.

1465 3. Specifying that child care personnel employed by the
 1466 provider who are responsible for supervising children in care
 1467 must be trained in developmentally appropriate practices aligned
 1468 to the age and needs of children to which the personnel is
 1469 assigned supervision duties. This requirement is met by
 1470 completion of developmentally appropriate practice courses
 1471 administered by the Department of Children and Families under s.
 1472 402.305(2)(d)1. within 30 days after being assigned to children
 1473 for which developmentally appropriate practice training has not
 1474 been completed.

1475 4. Requiring child care personnel who are employed by the
 1476 provider to complete an online training course on the
 1477 performance standards adopted pursuant to paragraph (j).
 1478 Any provision imposed upon a provider that is inconsistent with,
 1479 or prohibited by, law is void and unenforceable.

1480 (n) Establish a single statewide information system that
 1481 each coalition must use for the purposes of managing the single
 1482 point of entry, tracking children's progress, coordinating

1483 services among stakeholders, determining eligibility of
 1484 children, tracking child attendance, and streamlining
 1485 administrative processes for providers and early learning
 1486 coalitions.

1487 (o) Adopt by rule standardized procedures for coalitions
 1488 to use when monitoring the compliance of school readiness
 1489 program providers with the terms of the standard statewide
 1490 provider contract.

1491 (p) Monitor and evaluate the performance of each early
 1492 learning coalition in administering the school readiness program
 1493 and Voluntary Prekindergarten Education Program, ensuring proper
 1494 payments for school readiness program and Voluntary
 1495 Prekindergarten Education Program services, and implementing the
 1496 coalition's school readiness program plan, ~~and administering the~~
 1497 ~~Voluntary Prekindergarten Education Program~~. These monitoring
 1498 and performance evaluations must include, at a minimum, onsite
 1499 monitoring of each coalition's finances, management, operations,
 1500 and programs.

1501 (q) Work in conjunction with the Bureau of Federal
 1502 Education Programs within the Department of Education to
 1503 coordinate readiness and voluntary prekindergarten services to
 1504 the populations served by the bureau.

1505 (r) Administer a statewide toll-free Warm-Line to provide
 1506 assistance and consultation to child care facilities and family
 1507 day care homes regarding health, developmental, disability, and
 1508 special needs issues of the children they are serving,

1509 particularly children with disabilities and other special needs.

1510 The office shall:

1511 1. Annually inform child care facilities and family day
 1512 care homes of the availability of this service through the child
 1513 care resource and referral network under s. 1002.92.

1514 2. Expand or contract for the expansion of the Warm-Line
 1515 to maintain at least one Warm-Line in each early learning
 1516 coalition service area.

1517 Section 23. Subsections (8) of section 1002.84, Florida
 1518 Statutes, is amended to read:

1519 1002.84 Early learning coalitions; school readiness powers
 1520 and duties.—Each early learning coalition shall:

1521 (8) Establish a parent sliding fee scale that requires a
 1522 parent copayment to participate in the school readiness program.
 1523 Providers are required to collect the parent's copayment. A
 1524 coalition may, on a case-by-case basis, waive the copayment for
 1525 an at-risk child or temporarily waive the copayment for a child
 1526 whose family's income is at or below the federal poverty level
 1527 and experiences a natural disaster or an event that limits the
 1528 parent's ability to pay, such as incarceration, placement in
 1529 residential treatment, ~~or becoming homeless,~~ or an emergency
 1530 situation such as a household fire or burglary, or while the
 1531 parent is participating in parenting classes. A parent may not
 1532 transfer school readiness program services to another school
 1533 readiness program provider until the parent has submitted
 1534 documentation from the current school readiness program provider

1535 to the early learning coalition stating that the parent has
 1536 satisfactorily fulfilled the copayment obligation.

1537 (20) To increase transparency and accountability, comply
 1538 with the requirements of this section before contracting with a
 1539 member of the coalition, an employee of the coalition, or a
 1540 relative, as defined in s. 112.3143(1)(b), of a coalition member
 1541 or of an employee of the coalition. Such contracts may not be
 1542 executed without the approval of the office. Such contracts, as
 1543 well as documentation demonstrating adherence to this section by
 1544 the coalition, must be approved by a two-thirds vote of the
 1545 coalition, a quorum having been established; all conflicts of
 1546 interest must be disclosed before the vote; and any member who
 1547 may benefit from the contract, or whose relative may benefit
 1548 from the contract, must abstain from the vote. A contract under
 1549 \$25,000 between an early learning coalition and a member of that
 1550 coalition or between a relative, as defined in s.

1551 112.3143(1)(b), of a coalition member or of an employee of the
 1552 coalition is not required to have the prior approval of the
 1553 office but must be approved by a two-thirds vote of the
 1554 coalition, a quorum having been established, and must be
 1555 reported to the office within 30 days after approval. If a
 1556 contract cannot be approved by the office, a review of the
 1557 decision to disapprove the contract may be requested by the
 1558 early learning coalition or other parties to the disapproved
 1559 contract.

1560 Section 24. Paragraph (c) of subsection (1) and

1561 subsections (3), (6), and (7) of section 1002.87, Florida
 1562 Statutes, are amended to read:

1563 1002.87 School readiness program; eligibility and
 1564 enrollment.—

1565 (1) Effective August 1, 2013, or upon reevaluation of
 1566 eligibility for children currently served, whichever is later,
 1567 each early learning coalition shall give priority for
 1568 participation in the school readiness program as follows:

1569 (c) Priority shall be given next to a child from birth to
 1570 the beginning of the school year for which the child is eligible
 1571 for admission to kindergarten in a public school under s.
 1572 1003.21(1)(a)2. who is from a working family that is
 1573 economically disadvantaged, and may include such child's
 1574 eligible siblings, beginning with the school year in which the
 1575 sibling is eligible for admission to kindergarten in a public
 1576 school under s. 1003.21(1)(a)2. until the beginning of the
 1577 school year in which the sibling enters ~~is eligible to begin~~ 6th
 1578 grade, provided that the first priority for funding an eligible
 1579 sibling is local revenues available to the coalition for funding
 1580 direct services. However, a child eligible under this paragraph
 1581 ceases to be eligible if his or her family income exceeds 200
 1582 percent of the federal poverty level.

1583 (h) Priority shall be given next to a child who has
 1584 special needs, has been determined eligible as an infant or
 1585 toddler with an Individualized Family Support Plan birth to 3
 1586 years of age receiving early intervention services; or a student

1587 with a disability, ~~has~~ with a current individual education plan
 1588 with a Florida school district, ~~and is not younger than 3 years~~
 1589 ~~of age~~. A child with special needs ~~child~~ eligible under this
 1590 paragraph remains eligible until the child is eligible for
 1591 admission to kindergarten in a public school under s.
 1592 1003.21(1)(a)2.

1593 (3) Contingent upon the availability of funds, a coalition
 1594 shall enroll eligible children, including those from its waiting
 1595 list, according to the eligibility priorities in this section.

1596 (6) Eligibility for each child must be reevaluated
 1597 annually. Upon reevaluation, a child may not continue to receive
 1598 school readiness program services if he or she has ceased to be
 1599 eligible under this section. If a child no longer meets
 1600 eligibility or program requirements, the coalition must
 1601 immediately notify the child's parent and the provider that
 1602 funding will end 2 weeks after the date in which the child was
 1603 determined to be ineligible or when the current child care
 1604 authorization expires, whichever occurs first.

1605 (7) If a coalition disenrolls children from the school
 1606 readiness program due to lack of funding or a change in
 1607 eligibility priorities, the coalition must disenroll the
 1608 children in reverse order of the eligibility priorities listed
 1609 in subsection (1) beginning with children from families with the
 1610 highest family incomes. A notice of disenrollment must be sent
 1611 to the parent and school readiness program provider at least 2
 1612 weeks before disenrollment or the expiration of the current

1613 child care authorization, whichever occurs first, to provide
 1614 adequate time for the parent to arrange alternative care for the
 1615 child. However, an at-risk child receiving services from the
 1616 Department of Children and Families Office of Child Welfare may
 1617 not be disenrolled from the program without the written approval
 1618 of the ~~Child Welfare Program Office of the~~ Department of
 1619 Children and Families Office of Child Welfare or the community-
 1620 based lead agency.

1621 (8) If a child is absent from the program for two
 1622 consecutive days without parental notification to the program of
 1623 such absence, the provider shall contact the parent and
 1624 determine the cause for absence and expected date of return. If
 1625 a child is absent from the program for 5 consecutive days
 1626 without parental notification to the program of such absence,
 1627 the school readiness program provider shall report the absence
 1628 to the early learning coalition for a determination of the need
 1629 for continued care.

1631 Section 25. Section 1002.88, Florida Statutes, is amended
 1632 to read:

1633 1002.88 School readiness program provider standards;
 1634 eligibility to deliver the school readiness program.-

1635 (1) To be eligible to deliver the school readiness
 1636 program, a school readiness program provider must meet each of
 1637 the following requirements:

1638 (a) The school readiness program provider must:

1639 1. Be a nonpublic school in substantial compliance with
 1640 402.3025(2)(d), child care facility licensed under s. 402.305, a
 1641 family day care home licensed ~~or registered~~ under s. 402.313, a
 1642 large family child care home licensed under s. 402.3131, a child
 1643 care facility exempt from licensure operating under 402.316(4);
 1644 or

1645 2. Be an entity that is part of Florida's education system
 1646 under s. 1000.04(1) a public school or nonpublic school exempt
 1647 from licensure under s. 402.3025, a faith-based child care
 1648 provider exempt from licensure under s. 402.316, a before-school
 1649 or after-school program described in s. 402.305(1)(c), or an
 1650 informal child care provider to the extent authorized in the
 1651 state's Child Care and Development Fund Plan as approved by the
 1652 United States Department of Health and Human Services pursuant
 1653 to 45 C.F.R. s. 98.18.

1654 (b) Provide instruction and activities to enhance the age-
 1655 appropriate progress of each child in attaining the child
 1656 development standards adopted by the office pursuant to s.
 1657 1002.82(2)(j). A provider should include activities to foster
 1658 brain development in infants and toddlers; provide an
 1659 environment that is rich in language and music and filled with
 1660 objects of various colors, shapes, textures, and sizes to
 1661 stimulate visual, tactile, auditory, and linguistic senses; and
 1662 include 30 minutes of reading to children each day. Provide
 1663 parents information on child development, expectations for
 1664 parent engagement, daily schedule and the attendance policy.

1665 (c) Provide basic health and safety of its premises and
 1666 facilities ~~and compliance with requirements for age-appropriate~~
 1667 ~~immunizations of children enrolled in the school readiness~~
 1668 ~~program~~ in accordance with applicable licensing and inspection
 1669 requirements. For a public school, compliance with ss. 1003.22
 1670 and 1013.12 satisfies this requirement. For a child care
 1671 facility, a large family child care home, or a licensed family
 1672 day care home, compliance with s. 402.305, s. 402.3131, or s.
 1673 402.313 satisfies this requirement. For a public ~~or nonpublic~~
 1674 school, compliance with ~~s. 402.3025 or~~ ss. 1003.22 and 1013.12
 1675 satisfies this requirement. For a nonpublic school compliance
 1676 with 402.3025(2)(d) satisfies this requirement. For a facility
 1677 exempt from licensure compliance with 402.316(4) satisfies this
 1678 requirement. ~~A faith-based child care provider, an informal~~
 1679 ~~child care provider, or a nonpublic school, exempt from~~
 1680 ~~licensure under s. 402.316 or s. 402.3025, shall annually~~
 1681 ~~complete the health and safety checklist adopted by the office,~~
 1682 ~~post the checklist prominently on its premises in plain sight~~
 1683 ~~for visitors and parents, and submit it annually to its local~~
 1684 ~~early learning coalition.~~

1685 (e)~~(d)~~ Provide an appropriate staff-to-children ratio,
 1686 pursuant to s. 402.305(4) or s. 402.302(8) or (11), as
 1687 applicable, and as verified pursuant to s. 402.311.

1688 (f)~~(e)~~ Provide a healthy and safe environment pursuant to
 1689 s. 402.305(5), (6), and (7), as applicable, and as verified
 1690 pursuant to s. 402.311.

1691 (g)~~(f)~~ Implement one of the curricula approved by the
 1692 office that meets the child development standards.

1693 (h)~~(g)~~ Implement a character development program to
 1694 develop basic values.

1695 (i)~~(h)~~ Collaborate with the respective early learning
 1696 coalition to complete initial screening for each child, aged 6
 1697 weeks to kindergarten eligibility, within 45 days after the
 1698 child's first or subsequent enrollment, to identify a child who
 1699 may need individualized supports.

1700 (j)~~(i)~~ Implement minimum standards for child discipline
 1701 practices that are age-appropriate and consistent with the
 1702 requirements in s. 402.305(12). Such standards must provide that
 1703 children not be subjected to discipline that is severe,
 1704 humiliating, or frightening or discipline that is associated
 1705 with food, rest, or toileting. Spanking or any other form of
 1706 physical punishment is prohibited.

1707 (k)~~(j)~~ Obtain and keep on file record of the child's
 1708 immunizations, physical development, and other health
 1709 requirements as necessary, including appropriate vision and
 1710 hearing screening and examination, within 30 days after
 1711 enrollment.

1712 (l)~~(k)~~ Implement before-school or after-school programs
 1713 that meet or exceed the requirements of s. 402.305(5), (6), and
 1714 (7).

1715 (m)~~(l)~~ ~~For a provider that is not an informal provider,~~
 1716 Maintain ~~maintain~~ general liability insurance and provide the

1717 coalition with written evidence of general liability insurance
 1718 coverage, including coverage for transportation of children if
 1719 school readiness program children are transported by the
 1720 provider. A private provider must obtain and retain an insurance
 1721 policy that provides a minimum of \$100,000 of coverage per
 1722 occurrence and a minimum of \$300,000 general aggregate coverage.
 1723 The office may authorize lower limits upon request, as
 1724 appropriate. ~~A provider must add the coalition as a named~~
 1725 ~~certificateholder and as an additional insured. A private~~
 1726 ~~provider must provide the coalition with a minimum of 10~~
 1727 ~~calendar days' advance written notice of cancellation of or~~
 1728 ~~changes to coverage. The general liability insurance required by~~
 1729 ~~this paragraph must remain in full force and effect for the~~
 1730 ~~entire period of the provider contract with the coalition.~~

1731 ~~(m) For a provider that is an informal provider, comply~~
 1732 ~~with the provisions of paragraph (l) or maintain homeowner's~~
 1733 ~~liability insurance and, if applicable, a business rider. If an~~
 1734 ~~informal provider chooses to maintain a homeowner's policy, the~~
 1735 ~~provider must obtain and retain a homeowner's insurance policy~~
 1736 ~~that provides a minimum of \$100,000 of coverage per occurrence~~
 1737 ~~and a minimum of \$300,000 general aggregate coverage. The office~~
 1738 ~~may authorize lower limits upon request, as appropriate. An~~
 1739 ~~informal provider must add the coalition as a named~~
 1740 ~~certificateholder and as an additional insured. An informal~~
 1741 ~~provider must provide the coalition with a minimum of 10~~
 1742 ~~calendar days' advance written notice of cancellation of or~~

1743 ~~changes to coverage. The general liability insurance required by~~
 1744 ~~this paragraph must remain in full force and effect for the~~
 1745 ~~entire period of the provider's contract with the coalition.~~

1746 (n) Obtain and maintain any required workers' compensation
 1747 insurance under chapter 440 and any required reemployment
 1748 assistance or unemployment compensation coverage under chapter
 1749 443, unless exempt under state or federal law.

1750 (o) Notwithstanding paragraph (l), for a provider that is
 1751 a state agency or a subdivision thereof, as defined in s.
 1752 768.28(2), agree to notify the coalition of any additional
 1753 liability coverage maintained by the provider in addition to
 1754 that otherwise established under s. 768.28. The provider shall
 1755 indemnify the coalition to the extent permitted by s. 768.28.

1756 (p) Execute the standard statewide provider contract
 1757 adopted by the office.

1758 (q) Operate on a full-time and part-time basis and provide
 1759 extended-day and extended-year services to the maximum extent
 1760 possible without compromising the quality of the program to meet
 1761 the needs of parents who work.

1762 (2) Beginning January 1, 2016, child care personnel
 1763 employed by a school readiness provider must be at least 18
 1764 years of age, unless the personnel is not responsible for
 1765 supervising children in care or is under direct supervision and
 1766 is not counted for the purposes of computing the personnel to
 1767 child ratio.

1768 (3) Beginning January 1, 2016, child care personnel

1769 employed by a school readiness provider must hold a high school
 1770 diploma or its equivalent unless the personnel is not
 1771 responsible for supervising children in care or under direct
 1772 supervision and not counted for the purposes of computing the
 1773 personnel to child ratio.

1774 (4) Beginning January 1, 2015, child care personnel
 1775 employed by a school readiness provider must be trained in first
 1776 aid and infant and child cardiopulmonary resuscitation, as
 1777 evidenced by current documentation of course completion, unless
 1778 the personnel is not responsible for supervising children in
 1779 care. Personnel hired on or after January 1, 2015, as a
 1780 condition of employment, must complete this training within 30
 1781 days of employment.

1782 (5)~~(2)~~ If a school readiness program provider fails or
 1783 refuses to comply with this part or any contractual obligation
 1784 of the statewide provider contract under s. 1002.82(2)(m), the
 1785 coalition may revoke the provider's eligibility to deliver the
 1786 school readiness program or receive state or federal funds under
 1787 this chapter for a period of 5 years.

1788 (6)~~(3)~~ The office and the coalitions may not:

1789 (a) Impose any requirement on a child care provider or
 1790 early childhood education provider that does not deliver
 1791 services under the school readiness program or receive state or
 1792 federal funds under this part;

1793 (b) Impose any requirement on a school readiness program
 1794 provider that exceeds the authority provided under this part or

1795 part V of this chapter or rules adopted pursuant to this part or
 1796 part V of this chapter; or

1797 (c) Require a provider to administer a preassessment or
 1798 postassessment.

1799 Section 26. Subsections (6) and (7) of subsection 1002.89,
 1800 Florida Statutes, are amended to read:

1801 1002.89 School readiness program; funding.—

1802 (6) Costs shall be kept to the minimum necessary for the
 1803 efficient and effective administration of the school readiness
 1804 program with the highest priority of expenditure being direct
 1805 services for eligible children. However, no more than 5 percent
 1806 of the funds described in subsection (5) may be used for
 1807 administrative costs and no more than 22 percent of the funds
 1808 described in subsection (5) may be used in any fiscal year for
 1809 any combination of administrative costs, quality activities, and
 1810 nondirect services as follows:

1811 (a) Administrative costs as described in 45 C.F.R. s.
 1812 98.52, which shall include monitoring providers using the
 1813 standard methodology adopted under s. 1002.82 to improve
 1814 compliance with state and federal regulations and law pursuant
 1815 to the requirements of the statewide provider contract adopted
 1816 under s. 1002.82(2)(m).

1817 (b) Activities to improve the quality of child care as
 1818 described in 45 C.F.R. s. 98.51, which shall be limited to the
 1819 following:

1820 1. Developing, establishing, expanding, operating, and

1821 coordinating resource and referral programs specifically related
 1822 to the provision of comprehensive consumer education to parents
 1823 and the public to promote informed child care choices specified
 1824 in 45 C.F.R. s. 98.33 ~~regarding participation in the school~~
 1825 ~~readiness program and parental choice.~~

1826 2. Awarding grants and providing financial support to
 1827 school readiness program providers and their staff to assist
 1828 them in meeting applicable state requirements for child care
 1829 performance standards, implementing developmentally appropriate
 1830 curricula and related classroom resources that support
 1831 curricula, providing literacy supports, obtaining a license or
 1832 accreditation, and providing professional development, including
 1833 scholarships and other incentives. Any grants awarded pursuant
 1834 to this subparagraph shall comply with the requirements of ss.
 1835 215.971 and 287.058.

1836 3. Providing training, ~~and~~ technical assistance, and
 1837 financial support for school readiness program providers, staff,
 1838 and parents on standards, child screenings, child assessments,
 1839 developmentally appropriate curricula, character development,
 1840 teacher-child interactions, age-appropriate discipline
 1841 practices, health and safety, nutrition, first aid,
 1842 cardiopulmonary resuscitation, the recognition of communicable
 1843 diseases, and child abuse detection and prevention.

1844 4. Providing from among the funds provided for the
 1845 activities described in subparagraphs 1.-3., adequate funding
 1846 for infants and toddlers as necessary to meet federal

1847 requirements related to expenditures for quality activities for
 1848 infant and toddler care.

1849 5. Improving the monitoring of compliance with, and
 1850 enforcement of, applicable state and local requirements as
 1851 described in and limited by 45 C.F.R. s. 98.40.

1852 6. Responding to Warm-Line requests by providers and
 1853 parents ~~related to school readiness program children~~, including
 1854 providing developmental and health screenings to school
 1855 readiness program children.

1856 (c) Nondirect services as described in applicable Office
 1857 of Management and Budget instructions are those services not
 1858 defined as administrative, direct, or quality services that are
 1859 required to administer the school readiness program. Such
 1860 services include, but are not limited to:

- 1861 1. Assisting families to complete the required application
- 1862 and eligibility documentation.
- 1863 2. Determining child and family eligibility.
- 1864 3. Recruiting eligible child care providers.
- 1865 4. Processing and tracking attendance records.
- 1866 5. Developing and maintaining a statewide child care
- 1867 information system.

1868
 1869 As used in this paragraph, the term "nondirect services" does
 1870 not include payments to school readiness program providers for
 1871 direct services provided to children who are eligible under s.
 1872 1002.87, administrative costs as described in paragraph (a), or

1873 quality activities as described in paragraph (b).

1874 (7) Funds appropriated for the school readiness program
 1875 may not be expended for the purchase or improvement of land; for
 1876 the purchase, construction, or permanent improvement of any
 1877 building or facility; or for the purchase of buses. However,
 1878 funds may be expended for minor remodeling necessary for the
 1879 administration of the program and upgrading of child care
 1880 facilities to ensure that providers meet state and local child
 1881 care standards, including applicable health and safety
 1882 requirements.

1883
 1884 Section 27. Subsection (7) of section 1002.91, Florida
 1885 Statutes, is amended to read:

1886 1002.91 Investigations of fraud or overpayment;
 1887 penalties.—

1888 (7) The early learning coalition may not contract with a
 1889 school readiness program provider or a Voluntary Prekindergarten
 1890 Education Program provider or individual who is on the United
 1891 States Department of Agriculture National Disqualified List. In
 1892 addition, the coalition may not contract with any provider that
 1893 shares an officer or director with a provider that is on the
 1894 United States Department of Agriculture National Disqualified
 1895 List.

1896 Section 28. Paragraph (d) of subsection (3) of section
 1897 1002.94, Florida Statutes, is amended to read:

1898 1002.94 Child Care Executive Partnership Program.—

1899 (3)
 1900 (d) Each early learning coalition shall establish a
 1901 community child care task force ~~for each child care purchasing~~
 1902 ~~pool~~. The task force must be composed of employers, parents,
 1903 private child care providers, and one representative from the
 1904 local children's services council, if one exists in the area of
 1905 the purchasing pool. The early learning coalition is expected to
 1906 recruit the task force members from existing child care
 1907 councils, commissions, or task forces already operating in the
 1908 area ~~of a purchasing pool~~. A majority of the task force shall
 1909 consist of employers.

1910 Section 29. Subsections (7) and (8) of section 1001.213,
 1911 Florida Statutes, are created to read:

1912 1001.213 Office of Early Learning.—There is created within
 1913 the Office of Independent Education and Parental Choice the
 1914 Office of Early Learning, as required under s. 20.15, which
 1915 shall be administered by an executive director. The office shall
 1916 be fully accountable to the Commissioner of Education but shall:

1917 (7) Hire a general counsel who reports directly to the
 1918 executive director of the Office of Early Learning under s.
 1919 20.15.

1920 (8) Hire an inspector general who reports directly to the
 1921 executive director of the Office of Early Learning under s.
 1922 20.15 and the Chief Inspector General under s. 14.32.

1923 Section 30. This act shall take effect July 1, 2014.